

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

JANE DOE AND ABEER ABDELKHALEK,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:19-CV-646
)	
BRIDGETT [sic] BEICHLER, et. al.,)	
)	
Defendants.)	

**DEFENDANTS’ OPPOSITION AND OBJECTIONS TO
PLAINTIFFS’ MOTION *IN LIMINE***

COME NOW the defendants, Bridget Beichler (“Beichler”), Felix Colaciello (“Colaciello”), Patricia O’Connell (“O’Connell”), Virginia Patterson (“Patterson”), and Loudoun County School Board (“LCSB”), by counsel, and in opposition to plaintiffs’ Motion *in Limine* argue as follows:

On Saturday, October 17, 2020 at exactly 12:00 a.m., in what has become a continuous pattern in this case,¹ plaintiffs’ filed a Motion *in Limine* set to be heard on Friday, October 23, 2020. The exhibits that followed were filed at 12:07 a.m. and 12:19 a.m., and the Hearing Notice was filed at 12:21 a.m. Then at 12:25 a.m., counsel forwarded a copy of the Motion *in Limine* along with a Dropbox link for the exhibits to counsel for the defendants. Defendants’ object to the filing of this

¹ Plaintiffs have filed a multitude of pleadings in this case at the zero hour making it so that the defendants’ do not see the document until the next morning. For example, on July 29, 2020, plaintiffs filed a Response in Opposition to Motion to Quash [DOC 244] at 11:54 p.m., a Motion for Partial Summary Judgment [DOC 276-277] on September 14, 2020 at 11:59 p.m., a Response to Motion to Dismiss on October 14 at 0:00 a.m., and the present Motion *in Limine* at 0:00 a.m. on Saturday, October 17th. Further, as much of this case is filed under seal, delivery of the documents to defense counsel typically occurs the following day, often only with prompting by defense counsel as was the case with plaintiffs’ Reply to Defendants’ Opposition [DOC 299] and exhibits, which were emailed to counsel at 10:28 a.m. on October 14th only after prompting by defense counsel’s legal assistant.

motion as untimely and request that this court deny plaintiffs' Motion and refuse to hear the Motion on October 23rd.

On June 12, 2020, this Court issued an Order requiring that all motions *in limine* be argued on or before October 23, 2020 with briefs in support to be filed in accordance with the local rules. Pursuant to Local Rule 7(f),

Unless otherwise directed by the Court, the *opposing party shall file a response brief* and such supporting documents as are appropriate, within *fourteen (14) calendar days after service* and the moving party may file a reply brief within six (6) calendar days after the service of the opposing party's response brief

(Emphasis added). Clearly, plaintiffs' filing of their Motion *in Limine* merely six days prior to the hearing date fails to allow defendants' sufficient time to respond and is in direct violation of the Court's Order and Local Rules.

WHEREFORE, defendants Bridget Beichler, Felix Colaciello, Patricia O'Connell, Virginia Patterson, and Loudoun County School Board, by counsel, respectfully request that the Court deny plaintiffs' motion and request for hearing; or, in the alternative, grant the relief requested in defendants' simultaneously filed Motion requesting status conference on November 16 trial date and deadlines.

**BRIDGET BEICHLER, FELIX COLACIELLO,
PATRICIA O'CONNELL, VIRGINIA PATTERSON,
and LOUDOUN COUNTY SCHOOL BOARD**

By Counsel

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2020, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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